

**MINUTES  
ADJOURNED REGULAR MEETING**

City Council of the Town of Colma  
City Hall, 1198 El Camino Real  
Colma, CA 94014

**Tuesday, March 14, 2006  
7:30 p.m.**

**PLEDGE OF ALLEGIANCE - CALL TO ORDER**

Mayor Fiscaro announced that no action was taken at the Closed Session under Gov't. Code Section 54956.8 on Real Property Negotiators for property located at 990 Serramonte Blvd. (APN 008-373-130).

ROLL CALL – Mayor Helen Fiscaro called the Regular Meeting of the City Council for the Town of Colma to order at 7:45 p.m.

Council Present – Vice Mayor Frossanna Vallergera and Council Members C.R. "Larry" Formalejo and Joseph Silva

Council Absent – Councilmember Philip J. Lum, Jr. (Arriving at **8:50 p.m.**)

Staff Present – City Manager Diane McGrath, Chief of Police Robert Lotti, City Attorney Roger Peters, City Engineer Rick Mao, City Planner Andrea Ouse and Recording Clerk Carol Ann Butler.

**PUBLIC COMMENTS**

There were no public comments.

Mayor Fiscaro noted that the City Attorney would report on Property Tax Equity Allocation (TEA) under the Reports section of the agenda.

**PRESENTATIONS AND INTRODUCTIONS**

Mayor Fiscaro extended City and Council congratulations with a proclamation and floral bouquet to Isabel B. Valdespino on the celebration of her 80<sup>th</sup> Birthday. Mrs. Valdespino introduced members of her family who were present.

Mayor Fiscaro presented a proclamation to Diane Hendrikson, a representative of PCRC, designating Mediation Week of March 19-25.

## CONSENT CALENDAR

*Mayor Fisicaro noted that she would not be participating in the discussion or voting on Consent Calendar Item No. 9 as her husband is an employee of the Colma Fire District. Consent Calendar No. 9 was removed.*

1. Motion to Approve Minutes of February 8, 2006 Special City Council Meeting
2. Motion to Approve Minutes of February 8, 2006 Regular City Council Meeting

### **Action:**

Vice Mayor VALLERGA moved **Council approval of Consent Calendar Items 1 and 2, with the correction to Item 6, Page 2 under "Report" change the word "adopt" to "introduce", and under "Action", change the word "adopted" to "introduced"**, seconded by Councilmember FORMALEJO and **carried** by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallergera	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.					✓
Joseph Silva			✓		
Voting Tally	3		1		1

3. Motion to Approve Warrants List for February 8-28, 2006
4. Motion to **Adopt a Resolution 2006-06** Accepting a \$100,000 Grant from San Mateo County's Supplemental Law Enforcement Services Fund.
5. Motion to **Adopt Second Reading of an Ordinance No. 641** Requiring Dedication of Land or Payment of Fees for Parks and Approval of Reading the Ordinance by Title Only and to Waive Further Reading of the Ordinance.
6. Motion to **Adopt Second Reading of an Ordinance No. 642** Approving an Amendment Between the Town of Colma and the California Public Employees' Retirement System (PERS) to Modify the Retirement Formula for Miscellaneous Employees to the "2.5% at 55" Plan and "Single Highest Twelve Consecutive Months" Option.

7. Motion to Rescind Resolution 2001-18 and **Adopt Resolution No. 2006-07** Modifying Holder Schedule to Clarify the Holiday Schedule for Unrepresented Staff as the Days Listed in Section 6.2.2 of the Personnel Policies and Procedures.
8. Motion to **Adopt a Resolution No. 2006-08** Designating Certain Employees to Receive Mandatory Ethics Training Pursuant to the Requirements of AB 1234.

**Action:**

Vice Mayor VALLERGA moved **Council approval of Consent Calendar Items 3 through 8**, seconded by Councilmember FORMALEJO and **carried** by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallergera	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.					✓
Joseph Silva	✓				
Voting Tally	4				1

9. Motion to **Adopt a Resolution No. 2006-09** Authorizing Staff to Execute an Agreement with the Colma Fire Protection District Transferring Ownership of the Former Police Department Mobile Locker Room Building to the District for the Sum of \$1.00 and Releasing the Town of All Liability Relative to the Mobile Building.

**Action:**

Vice Mayor VALLERGA moved **Council approval of Consent Calendar Item 9**, seconded by Councilmember FORMALEJO and **carried** by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro				✓	
Frossanna "Fro" Vallergera	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.					
Joseph Silva	✓				✓
Voting Tally	3			1	1

## **PUBLIC HEARINGS**

### **10. Consider: General Plan Amendment to Open Space/Conservation Element of the Town of Colma General Plan.**

Report: City Planner Andrea Ouse presented the staff report.

Mayor Fiscaro declared the public hearing opened and with no public comment closed at **8:00 p.m.**

#### **Action:**

Councilmember SILVA moved **adoption of Resolution No. 2006-10 Amending the General Plan Relating to Parks and Recreational Facilities, and directing staff to pursue a community garden and have staff communicate to citizens the regulation uses of the skateboard park at Sterling Park regarding after hour use,** seconded by Councilmember FORMALEJO and **carried** by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fiscaro	✓				
Frossanna Vallergera	✓				
Larry Formalejo	✓				
Philip J. Lum, Jr.					✓
Joseph Silva	✓				
Voting Tally	4				1

### **11. Consider: Use Permit and Parking Variance for 7685-7687 El Camino Real. (APN: 008-126-150)**

Report: City Planner Andrea Ouse presented the staff report.

Mayor Fiscaro declared the public hearing opened **8:06 p.m.** and closed the public hearing after staff/Council discussion at **8:22 p.m.**

#### **Action:**

Vice Mayor VALLERGA moved **adoption of Resolution No. 2006-11 Approving Use Permit and Parking Variance for 7685-7687 El Camino Real (APN: 008-126-150) with modifications of Conditions 5b, 5d and 5f,** seconded by Councilmember SILVA and **carried** by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna Vallergera	✓				
Larry Formalejo	✓				
Philip J. Lum, Jr.					✓
Joseph Silva	✓				
Voting Tally	4				1

## NEW BUSINESS

12. **Consider: Introduction of an Ordinance Making Technical Amendments to the Colma Municipal Code by Eliminating Inconsistent or Redundant Provisions and Repealing outdated Provisions.**

Report: City Attorney Roger Peters presented the staff report.

Mayor Fisicaro declared the public hearing open and with no public comment closed at **8:25 p.m.**

### **Action:**

Councilmember FORMALEJO moved **introduction of ordinance and reading of the ordinance by title only, and to waive further reading of the ordinance,** seconded by Councilmember SILVA and **carried** by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna Vallergera	✓				
Larry Formalejo	✓				
Philip J. Lum, Jr.					✓
Joseph Silva	✓				
Voting Tally	4				1

13. **Consider: Approval of FY2004-05 Audited Financial Statements.**

Report: City Manager, Diane McGrath presented the staff report.

### **Action:**

Vice Mayor VALLERGA moved **to accept the FY2004-05 Audited Financial Statements, FY2004-05 Measure A Fund Component Unit Financial Statement, and the Auditor's Management Letter prepared by R.J. Ricciardi, CPA, Town of Colma independent auditor,** seconded by Councilmember

FORMALEJO and **carried** by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna Vallergera	✓				
Larry Formalejo	✓				
Philip J. Lum, Jr.					✓
Joseph Silva	✓				
Voting Tally	4				1

14. **Consider: San Mateo County Sesquicentennial Celebration and Request for Funds from the Colma Historical Association to Assist with Cost of Colma's Participation Event.**

Report: City Manager, Diane McGrath presented the staff report.

Public Comments:

Pat Hatfield, President – Colma Historical Association.

**Action:**

Vice Mayor VALLERGA moved **that City Council adopt Resolution No. 2006-12, allocation of funds for Town participation in San Mateo County's Sesquicentennial Celebration and designate the Colma Historical Association to develop, implement and host the event, and approve the Town contributing \$600 to pay for two tour buses,** seconded by Councilmember SILVA and **carried** by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna Vallergera	✓				
Larry Formalejo	✓				
Philip J. Lum, Jr.					✓
Joseph Silva	✓				
Voting Tally	4				1

At this time Councilmember LUM arrived at the meeting **(8:50 p.m.)**

15. **Consider: Request for Funding from the Colma Fire Protection District.**

*Mayor Fiscaro noted that she would not be participating in the discussion or voting on New Business Item No. 15 as her husband is an employee of the Colma Fire District. Mayor Fiscaro stepped down from the dais and left the Council Chamber. Vice Mayor Vallergera presided over Agenda Item No. 15.*

Report: City Manager, Diane McGrath presented the staff report.

Robert Olson, Representing Robert Olson Associates, Inc.  
Vern Hamilton, Consultant with Robert Olson Associates, Inc.  
Vice Mayor Vallergera opened public comment at **9 p.m.**

**Appearance:**

Geoffrey Balton, Fire Chief/Colma Fire Protection District

Vice Mayor Vallergera closed the public comment at **9:15 p.m.**

**Action:**

Councilmember SILVA moved **that City Council decline the request for supplemental funding for the Colma Fire Protection District and direct the City Manager to work with the District in its efforts to develop and implement a plan for the future that is sustainable, equitable and cost-effective,** seconded by Councilmember FORMALEJO and **carried** by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				
Helen Fiscaro				✓	
Joseph Silva	✓				
Frossanna Vallergera	✓				
Larry Formalejo	✓				
Voting Tally	4			1	

Mayor Fiscaro returned to her voting seat at **9:25 p.m.**

**COUNCIL CALENDARING**

Ethics Training: March 30, 2006 – 8:30 A.M. at the Colma Community Center  
Regular Meeting: April 12, 2006 - 7:30 P.M.

## **REPORTS**

The City Attorney presented report on Property Tax Equity Allocation (TEA) allocating property taxes after Proposition 13.

## **ADJOURNMENT**

There being no further business, the Council adjourned the Adjourned Regular Meeting at **9:42 p.m.** in memory of the following:

- Eleanor Hnilo, Colma resident
- Ida Rosaia, Colma resident
- John Winn, father of Colma Police Officer
- Diane Ferrigno, mother-in-law of Colma Police Officer
- Jim Mahoney
- Mark McAdam

Respectfully submitted,

Carol Ann Butler  
Recording Clerk